

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

In re:	§	
	§	
DO-WEN INC	§	Case No. 12-90111 BP1
	§	
Debtor	§	

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**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter 7 of the United States Bankruptcy Code was filed on 04/23/2012 . The undersigned trustee was appointed on 04/23/2012 .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$ 15,000.00

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	12,965.89
Bank service fees	20.00
Other payments to creditors	0.00
Non-estate funds paid to 3 <sup>rd</sup> Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00

Leaving a balance on hand of<sup>1</sup> \$ 2,014.11

The remaining funds are available for distribution.

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 10/23/2012 and the deadline for filing governmental claims was 01/22/2013 . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ 2,250.00 . To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ 0.00 as interim compensation and now requests a sum of \$ 2,250.00 , for a total compensation of \$ 2,250.00 <sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ 0.00 , and now requests reimbursement for expenses of \$ 104.86 , for total expenses of \$ 104.86 <sup>2</sup>.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 04/27/2016 By: /s/Stephen J. Zayler  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup> If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

**FORM 1- EXHIBIT A**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 1  
**Exhibit A**

Case No: 12-90111 BP1 Judge: BILL PARKER  
Case Name: DO-WEN INC

Trustee Name: Stephen J. Zayler  
Date Filed (f) or Converted (c): 04/23/12 (f)  
341(a) Meeting Date: 06/07/12  
Claims Bar Date: 10/23/12

For Period Ending: 04/27/16

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. Bancorp 111925-505-5 30%	0.00	0.00		0.00	FA
2. Bancorp 111925-506-3 70%	0.00	0.00		0.00	FA
3. Bancorp 111977-386-7	0.00	0.00		0.00	FA
4. Bancorp 640019-688-4	1.00	0.00		0.00	FA
5. Restaurant decorations	33,000.00	33,000.00		0.00	FA
6. Litigation claims against Hauck Properties for lease violations and fraud; currently pending In Cause No. C-1026327 - Hauck Holdings, Nacogdoches, TX II, LLC vs. Don Partin, et al In the District Court of Nacogdoches County, Texas  This asset has been given a value for reporting purposes only. It may or may not be accurate.	0.00	50,000.00		15,000.00	FA
7. Fuddrucker's Franchise	50,000.00	0.00		0.00	FA
8. Computers, restaurant equipment	35,000.00	0.00		0.00	FA
9. Business machinery	300,000.00	0.00		0.00	FA
10. Foodstuffs	9,000.00	9,000.00		0.00	FA
11. Improvements in leasehold	70,000.00	70,000.00		0.00	FA

				Gross Value of Remaining Assets
TOTALS (Excluding Unknown Values)	\$497,001.00	\$162,000.00	\$15,000.00	\$0.00
				(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Initial Projected Date of Final Report (TFR): 04/30/15      Current Projected Date of Final Report (TFR): 06/30/16

**FORM 1- EXHIBIT A**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 2  
**Exhibit A**

Case No: 12-90111 BP1 Judge: BILL PARKER  
Case Name: DO-WEN INC

Trustee Name: Stephen J. Zayler  
Date Filed (f) or Converted (c): 04/23/12 (f)  
341(a) Meeting Date: 06/07/12  
Claims Bar Date: 10/23/12

/s/ Stephen J. Zayler

Date: 04/27/16

STEPHEN J. ZAYLER

**FORM 2 - EXHIBIT B**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 1  
**Exhibit B**

Case No: 12-90111 -BP1  
Case Name: DO-WEN INC

Trustee Name: Stephen J. Zayler  
Bank Name: FIRST NATIONAL BANK OF VINITA  
Account Number / CD #: \*\*\*\*\*2089 Checking Account (Non-Interest Earn)

Taxpayer ID No: \*\*\*\*\*4610  
For Period Ending: 04/27/16

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
02/10/16	6	HAUCK HOLDINGS NACOGDOCHES TX 4334 Glendale Milford Rd. Cincinnati, OH 45242	BALANCE FORWARD SETTLEMENT PROCEEDS	1149-000	15,000.00		0.00 15,000.00
02/15/16	010001	SANDRA D. SORRELL, CPA 5036 CHAMPIONS DRIVE LUFKIN, TX 75901	ACCOUNTANT FEES Per Order 10-10-13	3410-000		1,050.00	13,950.00
03/07/16	010002	RUSSELL SMITH FAIRCHILD, PRICE, HALEY AND SMITH 1801 North Street Nacogdoches, TX 75965	ATTORNEY FEES & EXPENSES Per Order 11/18/2015			9,815.89	4,134.11
			Fees 4,500.00	3210-000			
			Expenses 5,315.89	3220-000			
03/07/16		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	4,124.11
04/07/16		FIRST NATIONAL BANK OF VINITA	BANK SERVICE FEE	2600-000		10.00	4,114.11
04/27/16	010003	SANDRA D. SORRELL, CPA 5036 CHAMPIONS DRIVE LUFKIN, TX 75901	ACCOUNTANT FEES Per Order 04-27-2016	3410-000		2,100.00	2,014.11

COLUMN TOTALS	15,000.00	12,985.89	2,014.11
Less: Bank Transfers/CD's	0.00	0.00	
Subtotal	15,000.00	12,985.89	
Less: Payments to Debtors		0.00	
Net	15,000.00	12,985.89	

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
Checking Account (Non-Interest Earn - *****2089)	15,000.00	12,985.89	2,014.11
	15,000.00	12,985.89	2,014.11

Page Subtotals 15,000.00 12,985.89

**FORM 2 - EXHIBIT B**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Page: 2  
**Exhibit B**

Case No: 12-90111 -BP1  
Case Name: DO-WEN INC  
  
Taxpayer ID No: \*\*\*\*\*4610  
For Period Ending: 04/27/16

Trustee Name: Stephen J. Zayler  
Bank Name: FIRST NATIONAL BANK OF VINITA  
Account Number / CD #: \*\*\*\*\*2089 Checking Account (Non-Interest Earn)  
  
Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$) (Excludes Account Transfers)	Disbursements (\$) (Excludes Payments To Debtors)	Account / CD Balance (\$) Total Funds On Hand

Page Subtotals 0.00 0.00

EXHIBIT C  
ANALYSIS OF CLAIMS REGISTER

Date: April 27, 2016

Case Number: 12-90111 Claim Class Sequence  
Debtor Name: DO-WEN INC

Code #	Creditor Name & Address	Claim Class	Notes	Amount Allowed	Paid to Date	Claim Balance
025 TAF	Daniel Goldberg, Attorney	Administrative		\$560.00	\$0.00	\$560.00
025 TAE	DANIEL GOLDBERG, ATTORNEY	Administrative		\$7.50	\$0.00	\$7.50
025 TF	Daniel Jacob Goldberg Chapter 7 Trustee 2 Riverway, Suite 700 Houston, TX 77056-1912	Administrative		\$0.00	\$0.00	\$0.00
025 TE	Daniel Jacob Goldberg Chapter 7 Trustee 2 Riverway, Suite 700 Houston, TX 77056-1912	Administrative		\$0.90	\$0.00	\$0.90
025 AF	SANDRA D. SORRELL, CPA 5036 CHAMPIONS DRIVE LUFKIN, TX 75901	Administrative		\$3,150.00	\$3,150.00	\$0.00
025 SAF	RUSSELL SMITH FAIRCHILD, PRICE, HALEY AND SMITH 1801 North Street Nacogdoches, TX 75965	Administrative		\$9,815.89	\$9,815.89	\$0.00
000003 061 PTL	Comptroller of Public Accounts c/o Office of the Attorney General Bankruptcy - Collections Division PO Box 12548 Austin TX 78711-2548	Priority		\$2,708.95	\$0.00	\$2,708.95
000001 070 UC	American Express Bank, FSB c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	Unsecured		\$17,976.27	\$0.00	\$17,976.27
000002 070 UC	CenterPoint Energy PO Box 1700 Houston, TX 77251	Unsecured		\$1,027.15	\$0.00	\$1,027.15
Case Totals:				\$35,246.66	\$12,965.89	\$22,280.77

Code #: Trustee's Claim Number, Priority Code, Claim Type

## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 12-90111 BP1

Case Name: DO-WEN INC

Trustee Name: Stephen J. Zayler

Balance on hand \$ 2,014.11

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: Stephen J. Zayler	\$ 2,250.00	\$ 0.00	\$ 1,924.42
Trustee Expenses: Stephen J. Zayler	\$ 105.76	\$ 0.00	\$ 89.69
Attorney for Trustee Fees: Daniel Goldberg, Attorney	\$ 560.00	\$ 0.00	\$ 0.00
Accountant for Trustee Fees: SANDRA D. SORRELL, CPA	\$ 3,150.00	\$ 3,150.00	\$ 0.00
Other: DANIEL GOLDBERG, ATTORNEY	\$ 7.50	\$ 0.00	\$ 0.00
Other: RUSSELL SMITH	\$ 4,500.00	\$ 4,500.00	\$ 0.00
Other: RUSSELL SMITH	\$ 5,315.89	\$ 5,315.89	\$ 0.00

Total to be paid for chapter 7 administrative expenses \$ 2,014.11

Remaining Balance \$ 0.00

Applications for prior chapter fees and administrative expenses have been filed as follows:



NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ 2,708.95 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000003	Comptroller of Public Accounts c/o Office of the Attorney General Bankruptcy - Collections Division PO Box 12548 Austin TX 78711-2548	\$ 2,708.95	\$ 0.00	\$ 0.00

Total to be paid to priority creditors \$ 0.00

Remaining Balance \$ 0.00

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 19,003.42 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	American Express Bank, FSB c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701	\$ 17,976.27	\$ 0.00	\$ 0.00

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000002	CenterPoint Energy PO Box 1700 Houston, TX 77251	\$ 1,027.15	\$ 0.00	\$ 0.00

Total to be paid to timely general unsecured creditors \$ 0.00

Remaining Balance \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE